

REMARKS/ARGUMENTS

Entry and consideration of this Amendment after Final is respectfully requested, because the rejection of Claims 22-24 and 28-30 appear to be based upon a passage in Cardoza et al. which was not previously cited and therefore, Applicants have not yet had an opportunity to discuss; and the rejections of Claims 1-3, and 5-21 are based upon newly cited references.

In addition, Applicants respectfully point out that the rejections of Claims 22-24 and 28-30 appear to be to be inconsistent with the Examiner's position on previously amended Claims 1 and 9 with regards to the client computer being the originator of the debug request, which is a key feature of Applicants' invention.

Further, Claims 1, 7-9, 12, 13 and 20 have been amended, and Claims 14-19 and 21 canceled to place the application in condition for immediate allowance.

In the Final Office Action of November 18, 2003:

1. Claims 7, 8, 12 and 13 are objected to because of informalities.
2. Claims 22-24 and 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Cardoza et al., U.S. Patent 5,630,049 ("Cardoza et al.");
3. Claims 1-3, 5, 6, and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cardoza et al., and further in view of U.S. Patent 6,357,019 B1 ("Blaisdell et al.");
4. Claims 7, 8, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cardoza et al., and Blaisdell et al., and further in view of U.S. Patent 6,331,855 B1 ("Schauser");

5. Claims 14-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cardoza et al., and further in view of Schauser;
6. Claims 27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cardoza et al., and further in view of Cowart, Mastering Windows 98 ("Cowart"); and
7. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cardoza et al.

Arguments made in Applicants' prior Amendment of September 24, 2003 are incorporated herein by reference where appropriate.

1. Objection to Claims 7, 8, 12 and 13.

Claims 7, 8, 12 and 13 have been amended as required in the Final Office Action so as to start with the designation (h) and end with the designation (k).

2. Rejection of Claims 22-24, and 28-30 under 35 U.S.C. 102(b).

In the September 24, 2003 Amendment, Applicants argued that Claim 22 contains the function of "(a) receiving a request from a client computer over the Internet to debug an application program of said client computer," and such a function is neither taught nor suggested by Cardoza et al. for the same reasons as stated in reference to functions (a) and (b) of amended Claim 1.

In rejecting Applicants' argument, Paragraph 12 of the Final Office Action appears to assert that an NDP initialization request message (CMD_INIT) initializes or re-initializes a remote debugging session between the host and target computer systems by causing the operating system code (on the target computer) to enter into the polling mode, and thus, teaches "receiving a request from a client computer over the Internet to debug an application program of said client computer."

Applicants respectfully disagree with such assertion, however, because it is clearly stated in Cardoza et al. that "the CMD_INIT message must be the first command message sent *from the host computer system to the target computer system.*" See, Col. 20, lines 12-14. In particular, since the host computer system corresponds to Applicants' server and the target computer system corresponds to Applicants' client computer (as explained in detail in their September 24, 2003 Amendment), this passage clearly shows that it is the host computer (i.e., server) initiating the debug session. As explained in the September 24, 2003 with respect to the previously amended Claim 1, there is no teaching in Cardoza et al. of the client computer initiating the debug session and in particularly in this case, "receiving a request from a client computer over the Internet to debug an application program of said client computer".

Further, the Final Office Action appears to be inconsistent with respect to its rejection of Claim 22, since Applicants' arguments regarding closely related functions (a) and (b) of Claim 1 appear to have been accepted in the Final Office Action.

In particular, in Paragraph 5 of the Final Office Action, it is stated with respect to amended Claim 1 that "However, Cardoza et al. don't explicitly disclose detecting a debug request initiated by a user of a client computer that is transmitted to a server computer over the Internet." Consequently, Blaisdell et al. is offered in the Final Office Action as teaching that missing element (as will be discussed further below). Since it is admitted that Cardoza et al. doesn't teach detecting a debug request from a client computer it appears inconsistent to assert that Cardoza et al. teaches receiving such a debug request from the client computer.

Accordingly, Claim 22 is believed to be patentable under 35 U.S.C. 102(b) over Cardoza et al. for at least the foregoing reasons.

Claims 23 and 24 are also believed to be patentable under 35 U.S.C. 102(b) over Cardoza et al., since they depend from Claim 22, and as such, are believed to be patentable for at least the same reasons as stated in reference to Claim 22.

Further, with respect to Claim 24, the issuing of a debug command to a software debugger, as taught in Cardoza et al., fails to teach a diagnostic sequence that is "preprogrammed" into the debug program (or software debugger), since if the debug command was preprogrammed into the software debugger, there would be no need to issue the command to the software debugger. As explained in the September 24, 2003 Amendment, what Cardoza et al. teaches is a user of its host computer manually inputting

debug commands. See, e.g., Col. 22, lines 14-28. This is similar to the process claimed in Claim 23.

Claims 28-30 are also believed to be patentable under 35 U.S.C. 102(b) over Cardoza et al., for at least the same reasons as stated in reference to Claims 22-24, since Claims 28-30 are corresponding apparatus claims to the method claims of Claims 22-24.

3. Rejection of Claims 1-3, 5, 6, and 9-11 under 35 U.S.C. 103(a).

In Paragraph 5 of the Final Office Action, it is stated with respect to amended Claim 1 that "However, Cardoza et al. don't explicitly disclose detecting a debug request initiated by a user of a client computer that is transmitted to a server computer over the Internet." Consequently, Blaisdell et al. is offered in the Final Office Action as teaching that missing element.

Claim 1 has been amended to clarify that the client computer includes the application program to be debugged.

In Blaisdell et al. there are three computers involved in the debug process. A computer system 51 runs an agent control program, a computer system 61 has a failure requiring diagnosis, a computer 65 acts as a remote object server. See, Col. 7, lines 17-21.

At the time of failure, the user of the agent control program initiates a load of the selected agent from the remote object server onto the failing computer system. Once the agent has been loaded, it will await a network connect from its agent control program. After connecting, the agent object processes requests from the agent control program and provides the requested data. The agent control program running on the system 51 can thereby control the agent object on system 61 to diagnose the specific problem and determine the appropriate fix. See, Col. 7, lines 29-43.

Accordingly, the computer system 51 corresponds to Applicants' server computer since it runs the agent control program that functions as Applicants' debug program, and the computer system 61 corresponds to Applicants' client computer since it has the failure that needs to be diagnosed or debugged. Since the computer system 51 initiates the debug session by loading the selected agent from the remote object server onto the failing system 61, Blaisdell et al. teaches the same type of arrangement that Cardoza et al. teaches. It does not teach a system where the client computer initiates a debug session or more particularly, "receiving a debug request initiated by a user of a client computer to debug an application program on said client computer."

Therefore, amended Claim 1 is believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., and further in view of Blaisdell et al., since neither reference teaches or suggests "receiving a debug request initiated by a user of a client computer to debug an application program on said client computer" for at least the reasons stated above.

Claims 2, 3, 5 and 6 are also believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., and further in view of Blaisdell et al., since they depend from Claim 1, and as such, are believed to be patentable for at least the same reasons as stated in reference to Claim 1. In addition, Claim 3 is also believed to be patentable for the reasons as stated in reference to Claim 24 above.

Claim 9 has also been amended to clarify that the client computer includes the application program to be debugged.

Accordingly, Claims 9-11 are also believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., and further in view of Blaisdell et al., for at least the same reasons as stated in reference to Claims 1-3, since Claims 9-11 are apparatus claims corresponding to the method claims of Claim 1-3.

4. Rejection of Claims 7, 8, 12, and 13 under 35 U.S.C. 103(a).

Claims 7 and 8 are believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., and Blaisdell et al., and further in view of Schauser, since they depend from Claim 1, and as such, are believed to be patentable for at least the same reasons as stated in reference to Claim 1.

Likewise, Claims 12 and 13 are also believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., and Blaisdell et al., and further in view of Schauser, since they

depend from Claim 9, and as such, are believed to be patentable for at least the same reasons as stated in reference to Claim 9.

5. Rejection of Claims 14-21 under 35 U.S.C. 103(a).

Claims 14-19 and 21 have been canceled.

Claim 20 has been amended to include the limitations of Claim 21.

Claim 20 is believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., and Blaisdell et al., and further in view of Schauser, since none of the cited references teach "detecting a debug request initiated by a user of a client computer," wherein the client computer includes an application program responding to debug requests from a debug program on a server as claimed in Claim 20.

6. Rejection of Claims 27 and 31 under 35 U.S.C. 103(a).

Claims 27 and 31 are believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., and further in view of Cowart, Mastering Windows 98, since they depend from Claim 22, and as such, is believed to be patentable for at least the same reasons as stated in reference to Claim 22.

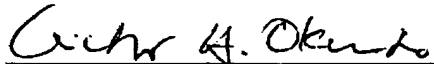
7. **Rejection of Claims 25 and 26 under 35 U.S.C. 103(a).**

Claims 25 and 26 are believed to be patentable under 35 U.S.C. 103(a) over Cardoza et al., since they depend from Claim 22, and as such, is believed to be patentable for at least the same reasons as stated in reference to Claim 22, as well as relevant reasons stated in reference to Claim 5.

Claims 1-3, 5-13, 20, and 22-31 are pending in the Application. Reconsideration of the rejections of the claims is requested for the reasons stated herein, and notice of their allowance earnestly solicited.

Respectfully submitted,

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